IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9974 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PARMAR PRAVINBHAI MAFATSINH

Versus

STATE OF GUJARAT

Appearance:

MR BM MANGUKIYA for Petitioners No. 1-26

MR. R.V. DESAI, ASSTT GOVERNMENT PLEADER for Respondents No. 1-3

MR KM PATEL for Respondent No. 4

CORAM : MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 22/01/2002

ORAL JUDGEMENT

Rule. Service of rule is waived by Mr.R.V. Desai, learned Assistant Government Pleader on behalf of respondents no.1 to 3 and by Mr.K.M. Patel, learned advocate on behalf of respondent no.4.

2. After the matter was heard for some time, a consensus is arrived at between the parties and it is agreed that respondent no.4, the management of Messrs Krishna Barrels Pvt. Ltd. will permit the workmen on giving an undertaking to the company on the same lines as given by other workmen as per the notice dated 24.9.2001, a copy of which is produced on record of this case. The petitioner workmen have agreed to give similar undertakings. It is also clarified that an inquiry will be held in respect of the 12 workmen against whom charge sheet/s is/ are issued. One of these 12 workman, namely, Shri Parmar Pravin Mafatsinh will be placed under suspension. If said Shri Parmar is entitled to get suspension allowance, he will be paid the same in accordance with law. It is assured on behalf of the workmen that the workmen who have agreed to resume duty on giving undertaking to the company will see that in addition to making production of 500 barrels a day for which undertaking is given they will try to give optimum production to the respondent company with a view to see that the loss caused to the company is compensated to an extent.

3. Mr.R.V. Desai, learned Assistant Govt. Pleader submitted an affidavit which is sworn by one Mr.K.O. Shah, Assistant Labour Commissioner, Godhra, District Panchmahals.

4. The petition is disposed of in view of the aforesaid consensus arrived at between the parties. Rule is made absolute to the aforesaid extent. No order as to costs. Direct service is permitted.

(Ravi R. Tripathi, J.)
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